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FACSIMILE TRANSMISSION

CONFIDENTIAL

DATE: June 24, 2004

CLIENT-MATTER No.: 23215-07991

TO:

NAME	FAX NO.	PHONE NO.
USPTO	703-872-9306	

FROM: Sabra-Anne R. Truesdale PHONE: (650) 335-7187

SENT BY: Dana Chevalier PHONE: (650) 943-5363

NUMBER OF PAGES WITH COVER PAGE: 12 ORIGINAL WILL NOT FOLLOW

MESSAGE:

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0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office			
TRANSMITTAL FORM				
(to be used for all correspondence during pendency of filed application)				
		Application Number	10/671,269	
		Filing Date	September 24, 2003	
		First Named Inventor	Scott A. Van Gundy	
		Group Art Unit Number	2645	
		Examiner Name	Not Yet Known	
Total Number of Pages in This Submission		11	Attorney Docket Number	23215-07991

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed <input type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): <input type="checkbox"/> [] Sheet(s) of Figure(s) [] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:	<i>Sabra-Anne Truesdale</i>		
Attorney/Reg. No.:	Sabra-Anne R. Truesdale, Reg. No. 55,687		Dated: 6-24-04

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.			
Signature:	<i>Sabra-Anne Truesdale</i>		
Typed or Printed Name:	Sabra-Anne R. Truesdale	Dated:	6-24-04
Facsimile Number:	1-703-872-9306		

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2004</h2>		<i>Complete if Known</i>																																																																																																																																													
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Truesdale</td> <td>Registration No. (Attorney/Agent)</td> <td>55,687</td> </tr> <tr> <td>Signature</td> <td colspan="2"><i>Sabra-Anne Truesdale</i></td> <td>Date 6-24-04</td> </tr> </tbody></table>				Large Entity	Small Entity			Fee	Fee	Fee Description	Fee Paid	Code (\$)	Code (\$)			1051 130	2051 65	Surcharge - late filing fee or oath	65	1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		1053 130	1053 130	Non-English specification		1812 2,520	1812 2,520	For filing a request for ex parte reexamination		1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		1251 110	2251 55	Extension for reply within first month		1252 420	2252 210	Extension for reply within second month		1253 950	2253 475	Extension for reply within third month		1254 1,480	2254 740	Extension for reply within fourth month		1255 2,010	2255 1,005	Extension for reply within fifth month		1401 330	2401 165	Notice of Appeal		1402 330	2402 165	Filing a brief in support of an appeal		1403 290	2403 145	Request for oral hearing		1451 1,510	1451 1,510	Petition to Institute a public use proceeding		1452 110	2452 55	Petition to revive - unavoidable		1453 1,330	2453 665	Petition to revive - unintentional		1501 1,330	2501 665	Utility issue fee (or reissue)		1502 480	2502 240	Design issue fee		1503 640	2503 320	Plant issue fee		1460 130	1460 130	Petitions to the Commissioner		1807 50	1807 50	Processing fee under 37 CFR 1.17(g)		1808 180	1808 180	Submission of Information Disclosure Stmt		8021 40	8021 40	Recording each patent assignment per property (times number of properties)		1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))		1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))		1801 770	2801 385	Request for Continued Examination (RCE)		1802 900	1902 900	Request for expedited examination of a design application		Other fee (specify)		SUBTOTAL (3) (\$) 65		SUBMITTED BY Complete (if applicable)				Name (Print/Type)	Sabra-Anne R. 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PATENT

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IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANT(S): Scott A. Van Gundy

APPLICATION NO.: 10/671,269

FILING DATE: September 24, 2003

TITLE: Server With Backup Capability for Distributed IP Telephony Systems

EXAMINER: Not Yet Known

GROUP ART UNIT: 2645

ATTY. DKT. NO.: 23215-07991

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.

Signature:	<i>Sabra-Anne Truesdale</i>	
Typed or Printed Name:	Sabra-Anne R. Truesdale, Reg. No. 55,687	Dated: 6-24-04
Facsimile Number:	703-872-9306	

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RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION

SIR:

Responsive to the Notice to File Missing Parts dated February 4, 2004 received in the above-identified patent application,

Enclosed are:

- a copy of the Notice to File Missing Parts;
- an original, signed Declaration;
- an original, signed Power of Attorney;
- an Application Data Sheet;

PATENT

- payment in the amount of \$65.00 for the
 - application filing fee;
 - fee for additional claims; and
 - missing parts surcharge.
- Other: Copy of facsimile cover page from the USPTO sent June 15, 2004
- Applicant claims small entity status under 37 C.F.R. § 1.27.

Applicant respectfully notes that as of June 15, 2004 he had not received the original Notice to File Missing Parts having a mailing date of February 4, 2004. On June 15, 2004, the undersigned contacted the US PTO to inquire whether a Notice of Missing Parts had been issued. In response, the US PTO faxed the Notice of Missing Parts to the undersigned on June 15, 2004. A copy of this fax evidencing transmission and receipt time and date is enclosed.

Since Applicant did not receive the originally mailed Notice and first learned of the Notice on June 15, 2004, Applicant requests that the US PTO reset the period for reply to begin on that date. Since Applicant is submitting the Response to the Notice well before the period for reply has ended (two months from June 15, 2004 on August 15, 2004), Applicant believes that no extension of time is necessary.

If the US PTO believes that an extension of time is necessary, Applicant authorizes the US PTO to charge a fee for a three-month extension to deposit account 19-2555.

Respectfully submitted,
SCOTT A. VAN GUNDY

Dated: 6-24-04

By: Sabrina-Anne Truesdale
Sabra-Anne R. Truesdale, Reg. No.: 55,687
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Silicon Valley Center
801 California Street
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JUN-24-04 02:11PM FROM-Fenwick & West Mountain View
TO:dana chevilier COMPANY:

650 938 5200

T-881 P.007/012 F-544



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (C) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/671,269	09/24/2003	Scott A. Van Gundy	23215 07991

CONFIRMATION NO. 6540

FORMALITIES LETTER



'0C000000011830414'

00758
FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

Fenwick & West
JUN 17 2004
Received

Date Mailed: 02/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply

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Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

JUN-24-04 02:13PM FROM-Fenwick & West Mountain View

USPTO
TO:dana chevilier COMPANY:

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Patent Technology Center 1700

Facsimile Transmission

To: Name: dana chevilier
Company:
Fax Number:
Voice Phone:

From: Name: (703) 872-9310
Official Fax Number: (703) 872-9311
Official After Final Fax Number:
Voice Phone:

2804

37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

Fax Notes: _____

Date and time of transmission: Tuesday, June 15, 2004 11:00:30 AM
Number of pages including this cover sheet: 03

RECEIVED

JUN 15 2004

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